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The Honorable Frederick P. Corbit  
Chapter: 7

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WASHINGTON

In Re:

GIGA WATT, INC., a Washington  
corporation,

Debtor.

MARK D. WALDRON, as Chapter 7  
Trustee,

Plaintiff,

vs.

PERKINS COIE, LLP, a Washington  
limited liability partnership; LOWELL  
NESS, individual and California resident;  
GIGA WATT PTE., LTD. a Singapore  
corporation; and ANDREY KUZENNY, a  
citizen of the Russian Federation;

Defendants

and

THE GIGA WATT PROJECT, a  
partnership,

Nominal defendant.

No. 18-03197-FPC11

The Honorable Frederick P. Corbit

**CHAPTER 7**

Adv. Case No. 20-80031

**JOINT STIPULATED MOTION  
REGARDING CASE  
SCHEDULE**

**12/6/2021**

**WITHOUT ORAL ARGUMENT**

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## I. STIPULATED MOTION

The parties, through their below signed counsel of record, stipulate and request that the case schedule in this matter be adjusted by continuing, for 90 days, all case schedule deadlines currently in effect, to allow additional time for discovery. The parties have met and conferred in good faith concerning the present Case Scheduling Order (ECF No. 73) and stipulate that good cause exists to extend all dates and deadlines in the Scheduling Order by 90 days.

In this regard, the Trustee has produced approximately 125,000 pages of documents which require considerable time to review. In addition, defendants are in the process of subpoenaing financial records from third parties in numerous jurisdictions who provided business or accounting services to the debtor. The parties have outstanding, written discovery, and there have been complications in scheduling depositions. Given the factual complexity of this matter, the impending holidays, and other scheduling issues, the parties believe it would be helpful to all concerned to allow additional time.

The current case schedule is contained in ECF No. 73. The parties hereby agree, subject to court approval, to move all dates in that Order by 90 days as follows:

1. Fact discovery completed by March 31, 2022;
2. Opening expert reports by April 29, 2022; rebuttal expert reports by June 22, 2022; expert depositions by July 15, 2022;
3. All fact and expert discovery completed by July 15, 2022;
4. Last day to amend pleadings or join additional parties November 2, 2022;
5. Serve and file preliminary witness lists by August 15, 2022;

6. Proposed pre-trial order by October 3, 2022;
7. Pre-trial conference on October 13, 2022 at 1:30 pm (or at \_\_\_\_\_);
8. Exchange final witness and exhibit lists by October 7, 2022;
9. Trial on November 1, 2022 (or on \_\_\_\_\_).

## II. RELIEF REQUESTED

For the foregoing reasons, the parties request that the Court grant this stipulated motion to modify and extend the case schedule deadlines by 90 days subject to the Court's calendar and availability.

1 DATED this 12th day of November, 2021.

2 Presented By:

3 BYRNES KELLER CROMWELL LLP

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By /s/ Pamela M. Egan

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ORDERS, ADJUDGES AND DECREES that the Scheduling Order for this matter is adjusted as stipulated above.

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